

### **REMARKS**

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

### **EXAMINER INTERVIEW ACKNOWLEDGED AND STATEMENT OF SUBSTANCE**

This paper is responsive to the examiner interview conducted 09 August 2006, by and between (as indicated on the Interview Summary document) Primary Examiner William J. Deane, Jr., and attorney Paul J. Skwierawski, in the present application. More particularly, any foregoing amendments may include amendments discussed during, or resultant from, the examiner interview, and the following includes a reiteration of discussions/arguments had during the examiner interview.

### **RCE FILED TO AVOID PROSECUTION DELAYS**

In view of the significant features/limitations of the amended and/or added claims being inappropriate (i.e., deniable) for entry after final rejection in that such would require significant further search and/or consideration, the present RCE was filed to avoid Advisory Action delay and to gain immediate entry/consideration of such feature/limitations. In view of the significant features/limitations of the amended and/or added claims, it is respectfully submitted that it would NOT BE PROPER to make a FIRST ACTION FINAL within the present RCE.

### **PENDING CLAIMS**

Claims 1-3 and 5-11 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is presently interested. At entry of this paper, Claims 1-3 and 5-11 will be pending for further consideration and examination in the application.

### **CLAIM DEPENDENCY ON PRECEDING CLAIM**

Claims 1-3 have been rejected under 35 USC 112, 2<sup>nd</sup> para., as not depending on a **preceding** claim, i.e., such claim(s) depends on a **succeeding** claim. Traversal is appropriate, and attention is directed to MPEP 608.01(n) which states (in relevant part):

During prosecution, the order of claims may change and be in conflict with the requirement that dependent claims refer to a preceding claim. Accordingly, the numbering of dependent claims and the numbers of preceding claims referred to in dependent claims should be carefully checked **when claims are renumbered upon allowance**.

That is, it is respectfully noted that **renumbering (by the examiner) at the time of allowance** is the mechanism for correcting preceding/succeeding claim dependencies, not during prosecution. Based upon the foregoing, reconsideration and withdrawal of the rejection are respectfully requested.

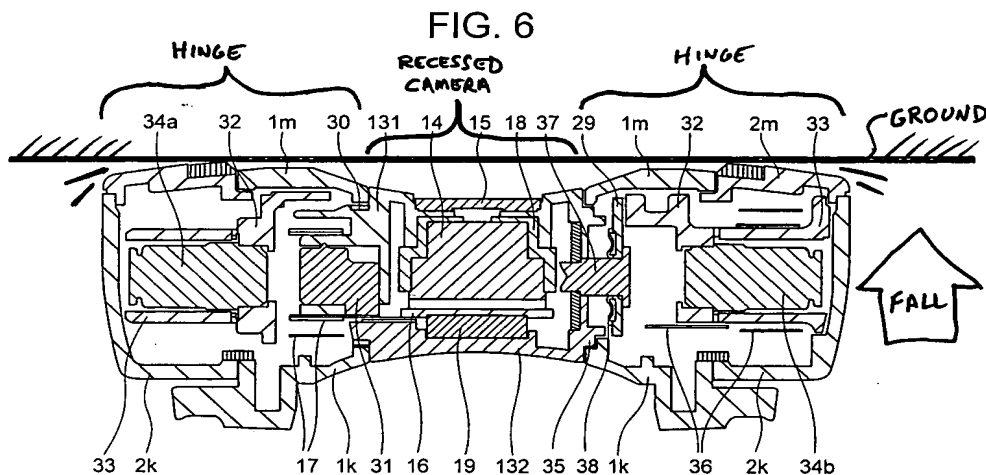
### **ALL REJECTIONS UNDER 35 USC '103 - TRAVERSED**

All 35 USC rejections are respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified and added claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are

respectfully traversed. As additional arguments, Applicant respectfully submits the following.

Applicant's disclosed and claimed invention is directed to providing arrangements for minimizing the potential that a camera portion of portable equipment (e.g., of a portable cell phone) will receive a direct impact when the portable equipment is dropped. Applicant's claimed invention accomplishes the same by recessing a camera casing to be thinner in diameter than surrounding hinge portions. Attention is directed to a marked-up copy of Applicant's FIG. 6 below.



The marked-up FIG. 6 includes a cross-section of Applicant's hinge portion as it has fallen and is at the point of impact against a floor (Note: Fall is shown upside-

down). As shown in FIG. 6, the outside diameter of the external camera casing is smaller than that of the rotating external parts of the left hinge joint portion 3a and the right hinge joint portion 3b, thereby recessing the camera casing and preventing the external camera casing from directly bumping against obstacles in case of dropping the portable equipment. That is, while the left and right external hinge portions receive direct impacts as a result of the illustrated fall, the recessed external camera portion does not.

Since the impact applied to the camera unit 12 (when the portable equipment is dropped) comes through the first casing 1 or second casing 2, an acceleration of the impact is decayed along the way so as to considerably lower impact forces applied to the camera (as compared with a direct impact applied to the camera casing 13). Further, since the camera module 14 is held in place through cushioning members 18 and 19, the impact forces applied to the camera is further reduced, therefore minimizing a potential of impact damage to the camera.

In terms of claim limitations, it is respectfully noted that Applicant's clarified independent claim 8 (for example) now recites a "first and second **external** casing" with a "case hinge portion having a predetermined outer diameter" and "an **external** camera casing", and the arrangement "**having an outside diameter of the external camera casing set smaller than the predetermined outer diameter of the casing hinge portion.**"

Turning now to precluding application of the previously-applied art, none of the applied references (taken alone, or in any combination) would have disclosed or suggested such feature. More particularly, Tatehana et al. (see FIGS. 1-2 reproduced below) appears non-relevant to Applicant's claimed invention, in that the cap 63 (i.e., "external camera casing") of Tatehana et al.'s portable terminal device does **NOT** have an outer diameter of such external camera casing set smaller than an outer diameter of Tatehana et al.'s central hinge portion 51. Thus, it can be seen that Tatehana et al., in fact, teaches away from Applicant's invention.

FIG. 1

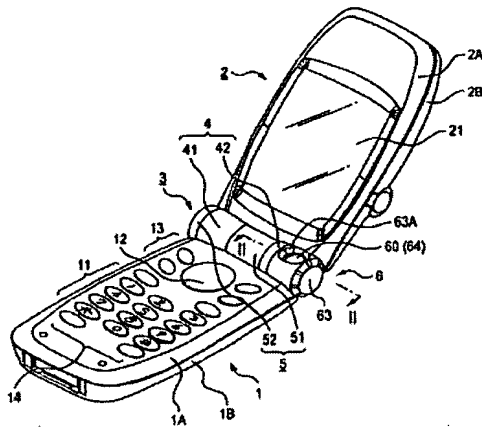
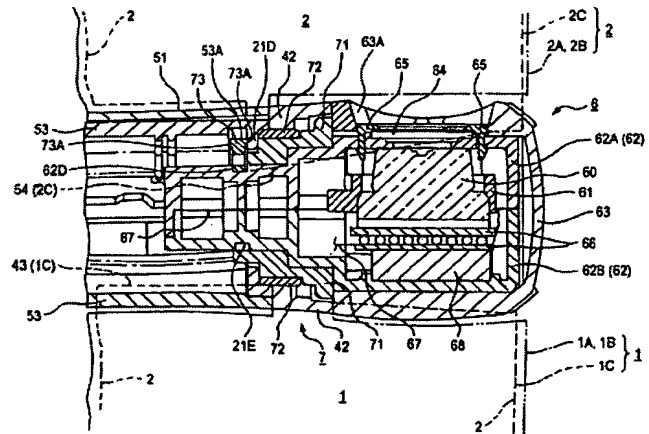


FIG. 2



Park '036 (FIG 1 thereof, reproduce herewith) does not cure the major deficiency with respect to the primary Tatehana et al. reference, and in fact, teaches (para. 0025) that all of "the first and second side hinge arms 111 and 112, the center hinge arm 211 and the lens housing 401 preferably are all cylindrical and have the same diameter."

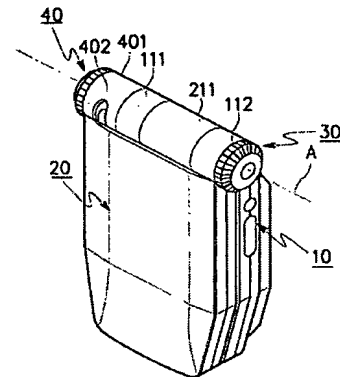


FIG. 1

Sato et al. (FIG. 1 reproduced below) is not even a hinged cell phone, but instead, has a camera which pops out of a side of the telephone.

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FIG. 1

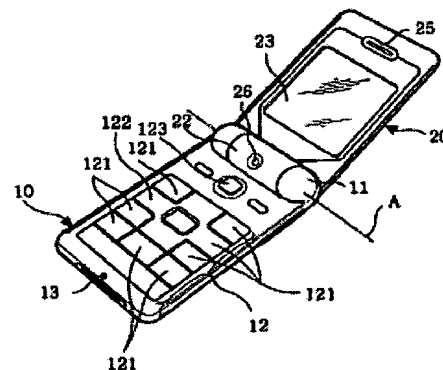
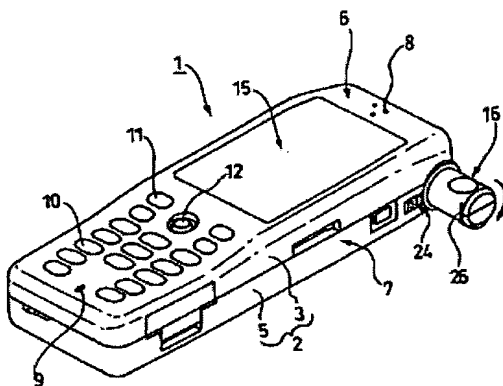


FIG.3

Finally, Park et al. '216 (assigned to the same assignee as the Park '036 reference discussed above) shows (see FIG. 3 reproduced above) a portable radio terminal 20 having side hinge arms 11 and a central hinge arm 22 (i.e., "external camera casing") which appear to have the same diameter, i.e., the only disclosure

of Park et al.'s diameters is in the drawings, and there is no textual description related thereto.

In view of the fact that all the previously-applied references are mutually deficient in not showing a "first and second **external** casing" with a "case hinge portion having a predetermined outer diameter" and "an **external** camera casing", with the arrangement "**having an outside diameter of the external camera casing set smaller than the predetermined outer diameter of the casing hinge portion**", it is respectfully submitted that no combination of the applied art would have disclosed, or suggested, Applicant's invention.

In addition to the foregoing, the following additional remarks from Applicant's foreign representative are also submitted in support of traversal of the rejection and patentability of Applicant's claims.

As a result of all of the foregoing, it is respectfully submitted that the applied art would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '103 rejections, and express written allowance of all of the rejected claims, are respectfully requested.

#### **EXAMINER INVITED TO TELEPHONE**

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.



## **RESERVATION OF RIGHTS**

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

## **CONCLUSION**

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 500.42925X00) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in cursive script, appearing to read "Paul J. Skwierawski".

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